

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Wendy P. Drake,
Plaintiff,
v.
Chief Judge of the Circuit Court of Cook
County,
Defendant.

No. 23 C 690
Judge Jeremy C. Daniel
Magistrate Judge Laura K. McNally

**DEFENDANT'S UNOPPOSED MOTION TO
RECONSIDER THE COURT'S MARCH 4, 2025, ORDER**

Defendant, Chief Judge of the Circuit Court of Cook County, by and through his attorney, Kwame Raoul, Illinois Attorney General, moves pursuant to Federal Rule of Civil Procedure 54(b) to reconsider the Court's March 4, 2025, Order, ECF No. 80. In support of this motion, the Defendant states as follows:

1. On March 4, 2025, the Court denied Defendant's motion to extend the discovery schedule up to and including April 25, 2025. ECF No. 80. The Court stated that "Defendant's counsel decided to go on leave five days before the close of discovery." *Id.* However, the Court extended the deadline by two weeks to March 21, 2025. *Id.*

2. After the Court entered its March 4, 2025, Order, the undersigned Unit Supervisor was contacted by Defendant's counsel, Assistant Attorney General David Caves ("AAG Caves").

3. AAG Caves informed the undersigned that he experienced a medical emergency over the weekend of March 1, 2025, and was unable to immediately notify his supervisors of his inability to work and medical leave of absence.

4. Federal Rule of Civil Procedure 54(b) "provides that non-final orders may be revised at any time before the entry of a judgment adjudicating all the claims and all the parties'

rights and liabilities.” *Galvan v. Norberg*, 678 F.3d 581, 587 (7th Cir. 2012).

5. The purpose of a motion to reconsider “is to allow a party to bring to the district court’s attention a manifest error of fact or law so that it may correct, or at least address, the error in the first instance.” *A & C Constr. & Installation, Co. v. Zurich Am. Ins. Co.*, 963 F.3d 705, 709 (7th Cir. 2020). The Court has broad discretion when deciding a motion to reconsider. *Abellan v. Lavelo Prop. Mgmt. LLC*, 948 F.3d 820, 833 (7th Cir. 2020).

6. Here, counsel for Defendant did not take a leave of absence by choice. The circumstances of AAG Cave’s leave of absence were not known to Defendant at the time of its initial motion or at the time of the Court’s March 4, 2025, Order.

7. Moreover, on March 5, 2025, in *Drake v. Chief Judge of the Circuit Court of Cook County*, 24 C 4607, the District Court granted Defendant’s unopposed motion for extension of time to complete discovery based upon the circumstances set forth in the motion. *Drake v. Chief Judge of the Circuit Court of Cook County*, 24 C 4607, ECF No. 30. Discovery in that matter was extended to April 25, 2025. *Id.*

8. Based upon the medical emergency of counsel for Defendant, the need for new counsel to be assigned by the Office of the Illinois Attorney General, time for new counsel to get up to speed in the matter to complete discovery, Defendant has shown good cause for an extension of the discovery deadline.

8. Accordingly, Defendant respectfully requests that the Court reconsider its denial of Defendant’s motion to modify the discovery scheduling order and extend the deadline to complete fact discovery through April 25, 2025.

8. The undersigned has conferred with Plaintiff’s counsel, and Plaintiff has no objection to the relief requested.

8. This motion is not brought for the purpose of undue delay, and no party will be prejudiced by granting this motion.

For each of these reasons, Defendant respectfully requests that the Court modify its March 4, 2025, Order, and extend the time for the Parties to complete fact discovery, up to and including April 25, 2025.

Dated: March 5, 2025

Respectfully submitted,

KWAME RAOUL
Illinois Attorney General

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